

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference RLL-275W0	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/IB 03/ 02962	International filing date (day/month/year) 24/07/2003	(Earliest) Priority Date (day/month/year) 25/07/2002
Applicant RANBAXY LABORATORIES LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form.

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. Certain claims were found unsearchable (See Box I).

3. Unity of invention is lacking (see Box II).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

as suggested by the applicant.

because the applicant failed to suggest a figure.

because this figure better characterizes the invention.

None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/IB 03/02962

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K9/20 A61K31/165

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, MEDLINE, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	ANONYMOUS: "Provigil-TM (modafinil) Tablets" INTERNET ARTICLE, 'Online! 1998, XP002259585 Retrieved from the Internet: <URL: http://www.fda.gov/cder/foi/label/199 8/20717lbl.pdf> 'retrieved on 2003-10-29! page 1, paragraph 1 – paragraph 3 page 10, paragraph 5 ----	1, 6-8, 11, 17-19, 22-26, 31-33, 44, 49, 51, 54
X	FR 2 702 968 A (LAFON LABOR) 30 September 1994 (1994-09-30)	1, 6-8, 11, 15, 16, 21, 24, 25, 44, 49, 51, 54
	examples 16, 17 ---- ----	-/--

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the international search

29 October 2003

Date of mailing of the international search report

12/11/2003

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Epskamp, S

INTERNATIONAL SEARCH REPORT

International Application No

PCT/IB 03/02962

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02 30414 A (CEPHALON INC) 18 April 2002 (2002-04-18) page 3, line 1 - line 28 examples -----	1, 7, 11, 13-15, 22, 24, 25, 44, 49, 51, 54
A	GB 2 293 103 A (CEPHALON INC) 20 March 1996 (1996-03-20) claims & US RE37516 E 15 January 2002 (2002-01-15) cited in the application -----	1-54
P, X	WO 02 096401 A (CEPHALON INC) 5 December 2002 (2002-12-05) examples -----	1, 6-8, 11, 16-18, 21-26, 31-34, 37, 44, 49, 51, 54

INTERNATIONAL SEARCH REPORT

International application No.
PCT/IB 03/02962

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 39-43 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the composition.
2. Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

The additional search fees were accompanied by the applicant's protest.
 No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 03/02962

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
FR 2702968	A 30-09-1994	FR 2702968 A1		30-09-1994
		AT 153562 T		15-06-1997
		CA 2156915 A1		29-09-1994
		DE 69403463 D1		03-07-1997
		DE 69403463 T2		15-01-1998
		DK 690747 T3		22-12-1997
		EP 0690747 A1		10-01-1996
		ES 2105663 T3		16-10-1997
		WO 9421371 A1		29-09-1994
		GR 3024243 T3		31-10-1997
		JP 8507940 T		27-08-1996
		US 5843347 A		01-12-1998

WO 0230414	A 18-04-2002	AU 1167702 A		22-04-2002
		CA 2425338 A1		18-04-2002
		EP 1330244 A1		30-07-2003
		NO 20031647 A		04-06-2003
		WO 0230414 A1		18-04-2002
		US 2002098240 A1		25-07-2002

GB 2293103	A 20-03-1996	US 5618845 A		08-04-1997
		AT 188607 T		15-01-2000
		AT 199216 T		15-03-2001
		AU 3509099 A		19-08-1999
		AU 703087 B2		18-03-1999
		AU 3951495 A		02-05-1996
		BG 62952 B1		29-12-2000
		BG 101389 A		30-12-1997
		BR 9509257 A		07-07-1998
		CA 2201967 A1		18-04-1996
		CA 2382275 A1		18-04-1996
		CZ 9701032 A3		17-09-1997
		DE 69514497 D1		17-02-2000
		DE 69514497 T2		10-08-2000
		DE 69520161 D1		29-03-2001
		DE 69520161 T2		02-08-2001
		DK 731698 T3		08-05-2000
		DK 966962 T3		19-03-2001
		EE 9700082 A		15-10-1997
		EP 1088549 A1		04-04-2001
		EP 0731698 A1		18-09-1996
		EP 0966962 A1		29-12-1999
		ES 2142499 T3		16-04-2000
		ES 2156457 T3		16-06-2001
		FI 971417 A		04-04-1997
		GR 3033152 T3		31-08-2000
		GR 3035451 T3		31-05-2001
		HK 1024625 A1		28-09-2001
		HK 1003561 A1		30-10-1998
		HU 77778 A2		28-08-1998
		JP 2915146 B2		05-07-1999
		JP 9511754 T		25-11-1997
		KR 249360 B1		01-04-2000
		LT 97060 A ,B		27-10-1997
		LV 11852 A		20-10-1997
		LV 11852 B		20-03-1998
		NO 971541 A		04-06-1997
		NZ 295869 A		26-02-1998

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 03/02962

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
GB 2293103	A	PL	319480 A1	04-08-1997
		PT	731698 T	31-05-2000
		PT	966962 T	29-06-2001
		SI	9520106 A	28-02-1998
		SK	44597 A3	10-09-1997
		WO	9611001 A1	18-04-1996
		US	RE37516 E1	15-01-2002
WO 02096401	A	05-12-2002	US 2003022940 A1	30-01-2003
			WO 02096401 A1	05-12-2002